

PART I. ON JUSTICE AND NATURAL LAW

1. *Meditation on the Common Concept of Justice* (c. 1702-3)

The *Meditation*, together with the *Opinion on the Principles of Pufendorf*, is the most important large-scale writing about justice which Leibniz produced. Though it is unfinished, and though the argument somehow never becomes quite as strong as it threatens to do from time to time, it still contains a good statement of his conviction that principles of right must be of the same kind as the 'eternal truths' of mathematics and logic, that there is a *continuum* between abstaining from evil and doing good, that divine justice must be of the same kind as human justice (differing only in the degree of its perfection), that communal property is desirable but unattainable etc. There are, in addition, passages commenting on Aristotle, Filmer, Hobbes, and others, which are of some interest; and the rejection of arguments in defense of slavery was liberal for its day. The *Meditation* must have been written, to judge from internal evidence, in c. 1703. (The original text is to be found in Mollat's *Rechtsphilosophisches aus Leibnizens ungedruckten Schriften*; this version omits the word 'I' [je] which comes at the end of the ms. in the Hanover library, and which would have led into a longer conclusion which, for some reason, Leibniz did not write.)

I

It is agreed that whatever God wills is good and just. But there remains the question whether it is good and just because God wills it or whether God wills it because it is good and just:¹ in other words, whether justice and goodness are arbitrary or whether they belong to the necessary and eternal truths about the nature of things, as do numbers and proportions. The former opinion has been followed by some philosophers² and by

¹ Leibniz' radical formulation of this question follows Plato's *Euthyphro* (9E-10E) almost literally, though Plato was dealing with 'holiness' rather than justice.

² To judge from his favorite targets, Leibniz probably had Descartes, Pufendorf and (perhaps) Bossuet in mind.

some Roman [Catholic] and Reformed theologians: but present-day Reformed [theologians] usually reject this doctrine, as do all of our theologians and most of those of the Roman Church.

Indeed it [this view] would destroy the justice of God. For why praise him because he acts according to justice, if the notion of justice, in his case, adds nothing to that of action? And to say *stat pro ratione voluntas*,¹ my will takes the place of reason, is properly the motto of a tyrant. Moreover this opinion would not sufficiently distinguish God from the devil. For if the devil, that is to say an intelligent, invisible, very great and very evil power, were the master of the world, this devil or this God would still be evil, even if it were necessary to honor him by force, as some peoples honor such imaginary gods in the hope of bringing them thereby to do less evil.

This is why certain persons, too devoted to the absolute right of God, who have believed that he could justly condemn innocent people and even that this might actually happen, have done wrong to the attributes which make God lovable, and, having destroyed the love of God, they have left only fear [behind]. Indeed those who believe (for example) that infants who die without baptism are plunged into eternal flames, must have a very weak idea of the goodness and of the justice of God, and injure thoughtlessly what is most essential to religion.

The sacred scriptures also give us an altogether different idea of this sovereign substance, in speaking so often and so clearly of the goodness of God, and presenting him as a person who justifies himself against complaints.² And in the story of the creation of the world the scripture says that God considered what he had done, and found it good.³ That is to say, he was content with his work, and had reason to be. This is a human way of speaking which seems to be used explicitly to show that the goodness of the actions and productions of God do not depend on his will, but on their nature: otherwise he would only have to see what he wills and does, to find out whether it were good, and to justify himself to himself as a wise sovereign. Thus all our theologians and most of those of the Roman Church, and also most of the ancient Church Fathers and the wisest and most esteemed philosophers, have been for the second view, which holds that goodness and justice have grounds [*ont leurs raisons*] independent of will and of force.

Plato in his dialogues introduces and refutes a certain Thrasymachus, who, wishing to explain what justice is, gives a definition which would strongly recommend the position which we are combating, if it were

¹ Adapted from Juvenal, *Satirae* VI, 223.

² Job 34, 6.

³ Genesis I, 31.

acceptable: for that is just (says he) which is agreeable or pleasant to the most powerful.¹ If that were true, there would never be a sentence of a sovereign court, nor of a supreme judge, which would be unjust, nor would an evil but powerful man ever be blameworthy. And what is more, the same action could be just or unjust, depending on the judges who decide, which is ridiculous. It is one thing to be just and another to pass for it, and to take the place of justice.

A celebrated English philosopher named Hobbes, who is noted for his paradoxes, has wished to uphold almost the same thing as Thrasymachus: for he wants God to have the right to do everything, because he is all-powerful.² This is a failure to distinguish between right and fact. For what one can do is one thing, what one should do, another. It is this same Hobbes who believes (and almost for the same reason) that the true religion is that of the state and that, as a consequence, if the Emperor Claudius, who decreed in an edict that *in libera republica crepitus atque ructus liberos esse debere*, had placed the god Crepitus among the authorized gods, he would have been a real God, and worthy of worship.³

This is to say, in covert terms, that there is no true religion, and that it is nothing but an invention of men. Similarly, to say that 'just' is whatever pleases the most powerful is nothing else than saying that there is no certain and determined justice which keeps one from doing whatever he wants to do and can do with impunity, however evil it may be. Thus treason, assassinations, poisonings, torture of the innocent, all will be just, if they succeed. This is, indeed, to change the nature of terms and to speak a language different from that of other men; until now one has understood by justice something different than that which happens every day. It is believed that a happy man can be evil, and that an unpunished action can nevertheless be unjust; that is, that it may deserve to be punished: such that it is only a question of knowing why it deserves it, without raising the question whether the pain will actually follow or not, or whether some judge will impose it.

There were [once] two tyrants in Sicily named Denis, father and son; the father was more evil than the son, [since] he had established his tyranny by the destruction of many honest men; his son was less cruel, but more given to disorders and to luxuries: the father was happy, and maintained

¹ Plato, *Republic* I 338c ff.

² Reference to Hobbes' *De Cive* xv, 5: 'God in his natural kingdom hath a right to rule, and to punish those who break his laws, from his sole irresistible power.'

³ From Suetonius, *Vita Claudii*, ch. 32: 'In a free state the passing of wind and belching should be free.'

himself [in power], and the son was overthrown, and finally made himself schoolmaster at Corinth, to have the pleasure of always ruling and of carrying a sort of scepter, by wielding the switches with which the children were punished. Will it be said that the actions of the first [father] were more just than those of the second, because he was happy and unpunished? And will it not be permitted at all that history condemn a happy tyrant?

One sees too every day that men, whether interested or disinterested, complain about the actions of certain powerful people, and find them unjust: thus the question is solely whether they complain with reason; and whether history can condemn with justice the inclinations and actions of a prince. This being granted one must acknowledge that men understand by justice, and by right, something else than that which pleases the powerful, and which remains unpunished if there is no judge capable of redressing [the evil].

It is true that in the entire universe or in the government of the world it happens, happily, that he who is the most powerful is just at the same time, and does nothing which one has a right to complain of: and it is necessary to hold as certain that one would find, if one understood the universal order, that it is impossible to do anything better than he does it; but power is not the formal reason which makes it just. Otherwise, if power were the formal reason of justice, all powerful persons would be just, each in proportion to his power; which is contrary to experience.

It is thus a question of finding this formal reason, that is to say, the *why* of this attribute, or this concept which should teach us what justice is, and what men mean in calling an action just or unjust. And this formal reason must be common to God and to man; otherwise one would be wrong in wanting to attribute, without equivocation, the same attribute to both: these are fundamental rules of reasoning and of discourse.¹

I grant readily that there is a great difference between the way in which men are just and [the way] in which God is: but this difference is only one of degree. For God is perfectly and entirely just, and the justice of men is mixed with injustice, with faults and with sins, because of the imperfection of human nature. The perfections of God are infinite, and ours are limited. Thus if someone wishes to maintain that the justice and the goodness of God have entirely different rules than those of men, he must recognize at the same time that these are two different notions, and that it is either voluntary equivocation or gross self-deception to attribute justice to both. Choosing, then, which of the two notions must be taken for that of justice, it will follow that either there is no true justice in God

¹ Cf. *Theodicy*, preliminary dissertation, pts. 4 and 35.

or that there is none in men, or perhaps that there is none in either, and that in the end one doesn't know what he is saying when speaking of justice – but this would destroy it, in fact, and leave nothing but the name. As do those also who make it arbitrary and dependent on the good pleasure of a judge or of a powerful person, since the same action will appear to be just or unjust to different judges.

This is also somewhat as if someone wanted to maintain that our science, for example that of numbers, which is called arithmetic, does not agree with that of God or of the angels, or perhaps that all truth is arbitrary and depends on whim. For example 1, 4, 9, 16, 25 etc. are square numbers, that is, which are produced by multiplying 1, 2, 3, 4, 5 etc. by themselves, while saying 1 times 1 is 1, 2 times 2 is 4, 3 times 3 is 9 etc. It is discovered that the successive odd numbers are the differences between successive square numbers. For the difference between 1 and 4 is 3, the difference between 4 and 9 is 5, between 9 and 16 is 7, and so forth. This is also apparent in the cells of the square numbers noted in the margin [below], for with the exception of one square foot, the space taken up by two square feet (that is to say the space of four times one square foot) has three more cells; and the space taken up by three square feet (that is to say the space of nine times one square foot) has five cells more than the preceding one, and so forth. Now, would one have any reason to maintain that it is not thus for God and for the angels, and that they see or find in numbers the contrary of what we find? Would one not have reason to laugh at a man who maintained this, and who did not know about the difference which there is between necessary and eternal truths which must be the same everywhere, and that which is contingent and changeable or arbitrary?

1	1	1	1
3	2	2	2
5	4	3	3
7	6	5	4

0 1 4 9 16 25 etc.
1 3 5 7 9 etc.

[This diagram (referred to above) was printed in the margin of the original text.]

The same is true of justice. If it is a fixed term which has some determined meaning; if, in a word, it is not a simple sound, without sense, like *blitiri*;¹ this term, or this word, justice, will have some definition or some intelligible notion: and from every definition one can draw certain conse-

¹ From Greek, βηίτινρι: nullity, nothingness.

quences, by using the incontestable rules of logic; and this is precisely what one does in building the necessary and demonstrative sciences which depend not at all on facts, but solely on reason, such as logic, metaphysics, arithmetic, geometry, the science of motion, and the science of right as well; which are not at all founded on experiences and facts, and serve rather to give reasons for facts and to control them in advance; which would [also] happen with respect to right, if there were no law in the world. The error of those who have made justice dependent on power comes in part from confounding right and law. Right cannot be unjust, it is a contradiction; but law can be. For it is power which gives and maintains law; and if this power lacks wisdom or good will, it can give and maintain quite evil laws: but happily for the universe, the laws of God are always just, and he is in a position to maintain them, as he does without doubt, although this has not always been done visibly and at once, for which he has, no doubt, good reasons.

It is a question, then, of determining the formal reason of justice and the measure by which we should measure actions to know whether they are just or not. After what has been said one can already foresee what this will be. Justice is nothing else than that which conforms to wisdom and goodness joined together: the end of goodness is the greatest good, but to recognize it wisdom is needed, which is nothing else than knowledge of the good. Goodness is simply the inclination to do good to everyone, and to arrest evil, at least when it is not necessary for a greater good or to arrest a greater evil. Thus wisdom is in the understanding and goodness in the will. And justice, as a consequence, is in both. Power is a different matter, but if it is used it makes right become fact, and makes what ought to be also really exist, in so far as the nature of things permits. And this is what God does in the world.

But since justice tends to the good, and [since] wisdom and goodness, which together form justice, relate to the good, one may ask what the true good is. I answer that it is nothing else than that which serves in the perfection of intelligent substances: from which it is clear that order, contentment, joy, wisdom, goodness and virtue are good things essentially and can never be evil; that power is naturally a good, that is to say in itself, because, everything being equal, it is better to have it than not to have it: but it does not become a certain good until it is joined with wisdom and goodness: for the power of an evil person serves only to plunge him farther into unhappiness sooner or later, because it gives him the means to be more evil, and to merit a greater punishment, from which he will not escape, since there is a perfectly just monarch of the universe whose infinite penetration and sovereign power one cannot avoid.

And since experience shows us that God permits, for reasons unknown to us but doubtless very wise, and founded in a greater good, that there be many evil [persons who are] happy in this life, and many good [persons who are] unhappy, which would not conform to the rules of a perfect government such as God's if it were not redressed, it follows necessarily that there will be another life, and that souls do not perish at all with the visible body; otherwise there would be unpunished crimes, and good actions without recompense, which is contrary to order.

There are, besides, demonstrative proofs of the immortality of the soul, because the principle of action and of consciousness could not come from a purely passive extended thing indifferent to all movement, such as matter is: thus action and consciousness must come from something simple or immaterial [and] without extension and without parts; which is called soul: now everything which is simple or without parts, is not subject to dissolution, and as a consequence cannot be destroyed.¹ There are people who imagine that we are too small a thing in the sight of an infinite God, for him to be concerned with us; it is conceived that we are to God that which worms, which we crush without thinking, are in relation to us. But this is to imagine that God is like a man, and cannot think of everything. God, by the very fact that he is infinite, does things without working by a species of result of his will, as it results from my will and that of my friend, that we are in agreement, without needing a new action to produce the accord after our resolutions are made. But if the human race were not well governed, the universe would not be either, for the whole consists of its parts.

We also find order and marvels in the smallest whole things [*choses entières*], when we are capable of distinguishing the parts and of seeing the whole at the same time, as it appears in looking at insects and other small things in the microscope. Thus by much stronger reasons craftsmanship and harmony would be found in large things, if we were capable of seeing them as a whole. And above all they would be found in the whole economy of the governance of spirits, which are the substances most resembling God, because they are [themselves] capable of recognizing and of producing order and craftsmanship. And as a consequence, one must conclude that the author of things, who is so inclined to order, will have had particular care for it with respect to those creatures who are naturally sources of order, in proportion to their perfection, and who alone are capable of imitating his craftsmanship. But it is not possible that this should seem so to us, in this small particle of life which we live here below, and which is an inconsiderable fragment of a life without bounds which no

¹ Cf. Plato, *Phaedo*, 80 ff.

spirit will lose. To consider this fragment separately is to consider things like a broken stick or like the bits of flesh torn from an animal, where the craftsmanship of its organs cannot sufficiently appear.

This is also true when one looks at the brain, which must be, without doubt, one of the greatest marvels of nature, since the most immediate organs of sense are there, although one finds there only a confused mass in which nothing singular appears, and which must, however, conceal a species of filaments of a fineness incomparably greater than that of spider-webs and which are thought to be the vessels of that very subtle fluid called the animal spirits. Now this mass of brain has too great a multitude of passages, and of passages too fine for us to escape this labyrinth with our eyes, whatever microscope one uses, because the subtlety of the spirits contained in these passages is equal to that of light-rays themselves. But our eyes and our touch show us nothing in the brain which has any extraordinary appearance; [and] one can say that it is the same in the government of intelligent substances under the monarchy of God, where everything appears confused to our eyes; but nonetheless this must be the most beautiful and the most marvelous disposition of the world, coming from an author who is the source of all perfection: but it must be too great and too beautiful, for spirits of our present range to be able to appreciate it enough so soon. And to want to see it here, is like wanting to take a novel by the tail and to pretend to decipher the plot from the first book: instead of which, the beauty of a novel is great to the degree that it finally produces more order from a greater apparent confusion. It would even be a fault in the composition, if the reader could divine the issue too soon. Now, what is only suspense and beauty in novels, which imitate, so to speak, the creation, is in addition usefulness and wisdom in this great and true poem (that is to say, word for word, work) of the universe. For the beauty and the justice of the divine government have been partly concealed from our eyes, not only because it could not be otherwise, without changing the whole harmony of the world, but also because it is proper in order that there be more exercise of free virtue, of wisdom and of a non-mercenary love of God, since rewards and punishments are still outwardly invisible and appear only to the eyes of our reason or faith: which I take here for the same thing, since true faith is founded in reason. And since the marvels of nature make us find that the operations of God are admirably beautiful, whenever we can envisage a whole in its natural context, though this beauty is not apparent in looking at things detached or torn from their wholes, we must conclude that everything which we cannot yet disentangle or envisage as a whole with all its parts must have no less of justice and of beauty. And to understand this great point well,

is to have the natural foundation of faith, of hope and of the love of God, for these virtues are based on a knowledge of the divine perfections.

Now, as nothing better reconfirms the incomparable wisdom of God, than the structure of the works of nature, above all the structure which appears when looking at them more closely with a microscope; it is for this reason, as well as because of the great lights which could be thrown on bodies for the use of medicine, food, and mechanical ends, that it is most necessary that one advance knowledge with [the use of] microscopes. There are scarcely ten men in the world who are devoted to this; and if there were a hundred thousand of them, it would not be too many to discover the important marvels of this new world which makes up the interior of our own and which is capable of making our knowledge a hundred thousand times greater than it is. This is why I have more than once hoped that one could bring great princes to make arrangements for this and to support men who worked at it. Observatories are founded to look at the stars, and these structures are spectacular and require a great [deal of] apparatus, but telescopes are far from being as useful and from revealing as many beauties and varieties of knowledge, as microscopes; a man in Delft¹ has succeeded marvelously in this, and if there were many others like him, our knowledge of physics would go far beyond its present state. It is for great princes to arrange this for the public utility, in which they are the most interested. And since it is a matter of little expenditure and of little ceremony it is very easy to manage; and where one needs little more than good will and attention to succeed, one would have the less reason to neglect it. For myself, I have no other motive in recommending this research, than that of advancing the knowledge of truth and the public good, [which is] strongly interested in the augmentation of the treasure of human knowledge.

II

Most of the questions of right, but particularly of that of sovereigns and of peoples, are confused, because everyone does not agree on a common concept of justice, with the result that everyone does not understand the same thing by the same name, and this is the cause of endless dispute. Everyone will agree, perhaps, to this nominal definition, that justice is a constant will to act in such a way that no one has a reason to complain of us. But this does not suffice unless one gives the means of determining these reasons. Now I observe that some people restrict, and that others

¹ Reference to van Leuwenhoeck (1632-1723), discoverer of the existence of spermatozoa.

extend, the reasons for human complaints. There are those who believe that it is enough that no one does them harm, and that no one deprives them of anything they possess, and that one is not at all obliged to procure the good of another, or to arrest evil, even if this would cost us nothing and would not cause us any pain. Some who pass for great judges [*justiciers*] in this world, keep themselves within these limits; they content themselves with not harming anybody, but they are not at all of a humor to improve people's conditions [*rendre les gens bien aisés*]; they believe, in a word, that one can be just, without being charitable.

There are others who have larger and finer views, who would not wish that anyone complain of their lack of goodness; they would approve what I have put in my preface to the *Codex Iuris Gentium*, that justice is nothing else than the charity of the wise, that is to say goodness toward others which is conformed to wisdom. And wisdom, in my sense, is nothing else than the science of felicity. It is permitted that men vary in their use of terms, and if someone wishes to insist on limiting the term *just* to oppose it to that of *charitable*, there is no way of forcing him to change his language, since names are arbitrary. However, it is permitted that we inform ourselves of the reasons which he has for being what he calls just, in order to see whether the same reasons will not bring him also to be good, and to do good.

One will agree, I believe, that those who are charged with the conduct of another, like tutors, directors of societies and certain magistrates, are obligated not only to prevent evil, but also to procure the good. But one will perhaps wish to doubt whether a man free of commitments or a sovereign of a state has these same obligations, the first in relation to all the others in a given situation, and the second in relation to his subjects. In addition I shall ask that whoever can maintain another person not do evil to others. One can give more than one reason for this: the most pressing will be the fear that someone will do the same to us. But has one not reason to fear as well, that men will hate us if we refuse them aid which does not inconvenience us at all, and if we fail to arrest an evil which is going to overwhelm them? Someone will say: I am content that others do not harm me, I do not ask at all their aid or their beneficence and I do not want to do or to claim more. But can one hold to this language sincerely? Let him ask himself what he would say and hope for if he should find himself actually on the point of falling into an evil, which another could make him avoid by a turn of his hand. Would one not hold him for a bad man and even for an enemy, if he did not want to save us in this situation? I have read in a travelog of the East Indies that a man being chased by an elephant was saved, because another man in a neighboring house beat on a

drum, which stopped the beast; supposing that the former had cried to the other to beat [the drum], and that he had not wanted to out of pure inhumanity: would he not have had the right to complain?

One will grant to me, then, that one must prevent evil for another, if one can conveniently, but one will perhaps not agree that justice orders us to do positive good to others. I then ask whether one is not obliged at least to relieve their ills? And I return again to the proof, that is to say to the rule, *quod tibi non vis fieri*.¹ Suppose that you were plunged into misery; would you not complain of him who did not help you at all, if he could do it easily? You have fallen into the water; he does not wish to throw you a rope to give you a means of getting out: would you not judge that he is an evil man, and even an enemy? Let us suppose that you are suffering from violent pains, and that another person had in his house, under lock and key, a healing-fountain capable of relieving your ills: what would you not say and what would you not do, if he refused to give you some glasses of [this] water?

Led by degrees, one will agree not only that men should abstain from wrongdoing, but also that they should prevent evil from happening and even relieve it, when it is done; at least in so far as they can without inconveniencing themselves (and I do not examine now how far this inconvenience may go). However, some will perhaps still doubt whether one is obliged to secure the good of another, even if one can do it without difficulty. Someone will say: I am not obliged to help you get ahead; each for himself, God for us all. But I wish again to propose an intermediate case. A great good is going to come to you; an impediment appears; I can remove that impediment without pain: would you not believe yourself to have a right to ask it of me, and to remind me that I would ask it of you, if I were in a similar position? If you grant me this point, as you can hardly help doing, how will you refuse the only remaining request, that is, to secure a great good for me, when you can do it without inconveniencing yourself in any way, and without being able to allege any reason for not doing it, except for a simple 'I don't want to'? You could make me happy and you do not do it: I complain; you would complain in the same situation; thus I complain with justice.

This gradation makes it clear that the same reasons of complaint subsist always; whether one does evil or refuses to do good is a matter of degree, but that does not change the species and the nature of the thing. One can also say that the absence of good is an evil and that the absence of evil is a general good. Someone makes a request of you, be it to do or to omit something. If you refuse the request, he has reason to complain,

¹ 'What you do not wish to have done to you.'

since he can judge that you would make the same request if you were in the place of him who makes it. And it is the principle of equity, or, what is the same thing, of the equality or of the identity of reasons [*de la même raison*], which holds that one should grant [to others] whatever one would wish in a similar situation, without claiming to be privileged, against reason, or [without claiming] to be able to allege one's will as a reason.

Perhaps one can say, then, that not to do evil to another, *neminem laedere*, is the precept of law which is called *ius strictum*, but that equity demands that one do good as well, when it is fitting, and that it is in this that the precept consists which orders that we give each his due: *suum cuique tribuere*. But this fitness, or what is due, is determined by the rule of equity or of equality: *quod tibi non vis fieri, aut quod tibi vis fieri, neque aliis facito aut negato*.¹ This is the rule² of reason and of our Master. Put yourself in the place of another, and you will have the true point of view for judging what is just or not.

Some objections have been made against this great rule, but they come from the fact that it is not applied universally. It is objected, for example, that a criminal can claim, by virtue of this maxim, a pardon from the sovereign judge, because the judge would wish the same thing, if he were in a similar position. The reply is easy: the judge must put himself not only in the place of the criminal, but also in that of others, who are interested that the crime be punished. And the balance of good (in which the lesser evil is included) must determine it [the case]. The same is true of this objection, that distributive justice demands inequality among men, that in a society one must divide gains in proportion to that which each has contributed, and that one must pay attention to merit and to lack of merit. The reply again is easy: put yourself in the place of all, and suppose that they are well-informed and enlightened; you will gather this conclusion from their votes, that they judge it fitting to their own interest, that distinctions be made between one another. For example, if profits were not divided proportionally in a commercial society, people would either not enter it at all, or they would leave it quite soon, which is contrary to the interest of the whole society.

One can say, then, that justice, at least among men, is the constant will to act, so far as possible, in a way such that no one can complain of us, if

¹ 'What you do not wish to have done to you, or what you do wish to have done to you, do not do to others, or do not deny to others.' Cf. Matthew 7. 12; Luke 6. 31.

² Leibniz' original manuscript, preserved in the Niedersächsische Landesbibliothek, has 'rule' written in over 'precept' (which is scratched out) at this point. Apparently Leibniz wanted to re-enforce the point that God, as well as men, acted according to moral rules; 'precept' is a weaker-sounding word.

we would not complain of others in a similar case. From which it is evident that, since it is impossible to act so that the whole world is content, one must try to content people as much as possible, and thus that whatever is just, conforms to the charity of the wise.

Wisdom, which is the knowledge of our own good, brings us to justice, that is to a reasonable advancement of the good of others; for this we have already alleged one reason, which is the fear that others will harm us, if we do otherwise: but there is still the hope that others will do the same for us; nothing is more certain than these proverbs, *homo homini deus, homo homini lupus*.¹ And nothing can contribute more to the happiness or the misery of man than men. If they were all wise, and knew how to treat each other, they would all be happy, so far as happiness can be attained by human reason.

But to enter better into the nature of things, it is permitted to use fictions. Let us imagine a person who has nothing to fear from others, such as would be, in relation to men, a superior power, some higher spirit, some substance which the pagans would have called a divinity, some immortal, invulnerable, invincible man: a person, in fine, who can neither hope for nor fear anything from us. Shall we say that this person is obligated nonetheless to do us no evil and even to do us good? Mr Hobbes will say no: he will even add that this person will have an absolute right over us after he conquers us [*en nous faisant sa conquête*], since one cannot complain of this conqueror for the reasons which we have just pointed out, since there is another condition which exempts him from all consideration for us. But without needing a fiction, what shall we say of the supreme divinity, whom reason makes us recognize? Christians agree, and others should agree, that this great God is sovereignly just and sovereignly good; but it is not for his own repose nor to maintain peace with us, that he shows us so much goodness; for we could not make war against him. What, then, will be the principle of his justice, and what will be its rule? It will not be that equity, or that equality, which obtains among men and which makes them envisage the common end of the human condition [in terms of the maxim], to do unto others as we would have them do unto us.

One cannot envisage in God any other motive than that of perfection, or, if you like, of his pleasure; supposing (according to my definition) that pleasure is nothing but a feeling of perfection, he has nothing to consider outside himself; on the contrary everything depends on him. But his goodness would not be supreme, if he did not aim at the good and at perfection so far as is possible. But what will one say, if I show that this same motive has a place in truly virtuous and generous men, whose

¹ Symmachus, *Epistolae* IX, 114; Plautus, *Asinaria* II, 88.

supreme function [*degré*] is to imitate divinity, in so far as human nature is capable of it? The earlier reasons of fear and of hope can bring men to be just in public, and when their interest demands it. They will even obligate them to exercise themselves from childhood to practice the rules of justice, in order to acquire the habit of doing so, for fear of betraying themselves too easily, and of thereby harming themselves along with others. However, this will be merely political at bottom, if there is no other motive. And if some man, just by this standard, shall find an occasion to make a great fortune by means of a great crime which will be unknown or at least unpunished, he will say, like Julius Caesar, following Euripides:¹ *Si violandum est jus, regnandi gratia violandum est.*² But he whose justice is proof against such a temptation, cannot have any other motive than that of his inclination, acquired by birth or by exercise and regulated by reason, which makes him find so much pleasure in the exercise of justice and so much ugliness in unjust actions, that other pleasures and displeasures are obliged to give way.

One can say that this serenity of spirit, which would find the greatest pleasure in virtue and the greatest evil in vice, that is, in the perfection or imperfection of the will, would be the greatest good of which man is capable here below, even if he had nothing to expect beyond this life, for what can one prefer to this interior harmony, to this continual pleasure of the purest and greatest things, of which one is always the master, and which one could not abandon? But it must also be admitted that it is difficult to arrive at this spiritual disposition, that the number of those who have attained it is small, and that the majority of men are insensible to this motive, great and beautiful as it is. This is why it seems that the Siamese believed that those who attained this degree of perfection received divinity as a reward. The goodness of the author of things has thus provided for it by [supplying] a motive more within the reach of all men, by making himself known to the human race, as he has done through the eternal light of reason which he has given us, and through the wonderful effects of his power, of his wisdom and of his infinite goodness, which he has placed before our eyes. This knowledge should make us envisage God as the sovereign monarch of the universe whose government is the most perfect State that one can conceive, where nothing is neglected, where every hair on our head is counted, where all right becomes fact, either by itself or in some equivalent form, such that justice is something which coincides with the good pleasure of God, and that a divorce between the honest and

¹ Euripides, *Phoenissae*, v. 524-5: 'If wrong e'er be right, for a throne's sake
were wrong most right.' (Way's translation, cited in Loemker II, p. 1196.

² Cicero, *De Officiis*, III, 21, 82.

the useful does not arise. After this, it must be imprudent not to be just, because no one will fail to derive good or evil from what he will have done, according as it is just or unjust.

But there is something still more beautiful than all of this in the government of God. What Cicero said allegorically of ideal justice is really true in relation to this substantial justice: that if we could see this justice, we would be inflamed by its beauty.¹ One can compare the divine monarchy to a kingdom whose sovereign would be a queen more spiritual and more wise than Queen Elizabeth; more judicious, more happy and, in a word, greater than Queen Anne; more clever, more wise, and more beautiful than the Queen of Prussia;² in short, as accomplished as it is possible to be. Let us imagine that the perfections of this queen make such an impression on the minds of her subjects, that they take the greatest pleasure in obeying her and in pleasing her: in this case everyone would be virtuous and just by inclination. It is this which happens literally, and beyond everything one can describe, with respect to God and those who know him. It is in him that wisdom, virtue, justice, and greatness are accompanied by sovereign beauty. One cannot know God as one ought without loving him above all things, and one cannot love him thus without willing what he wills. His perfections are infinite and cannot end, and this is why the pleasure which consists in the feeling of his perfections is the greatest and most durable which can exist. That is, the greatest happiness, which causes one to love him, causes one to be happy and virtuous at the same time.

After this one can say absolutely that justice is goodness conformed to wisdom, even in those who have not attained to this wisdom. For, apart from God, the majority of those who act according to justice in all things, even against their own interest, do in effect what a wise man would demand who found his pleasure in the general good; but in certain cases they will not act as sages themselves, not being sensible of the pleasure of virtue. And in these cases, where their disinterestedness would not be compensated either by praises or honors, nor by fortune, nor otherwise, they would not have acted in a way most conforming to prudence. But as soon as they consider that justice conforms to the will of a sage whose wisdom is infinite and whose power is proportioned to it, they find that they would not be wise at all (that is, prudent) if they did not conform themselves to the will of such a sage.

This shows that justice can be taken in different ways. One can oppose it to charity, and then it is only the *ius strictum*. One can oppose it to the

¹ Cicero, *De Officiis* III, 6, 28, and III, 17, 69.

² The references are to Elizabeth I of England, Anne of Great Britain and Sophia Charlotte of Prussia.

wisdom of him who must exercise justice, and then it conforms to the general good, although there will be certain cases in which the particular good will not appear in it. God and immortality would not enter into account. But when one considers them, one always finds his own good in the general good.

And while justice is only a particular virtue, when one leaves out of consideration God or a government which imitates that of God; and while this limited virtue comprises only what are called commutative and distributive justice; one can also say that as soon as it is founded on God or on the imitation of God, it becomes universal justice, and contains all the virtues. For when we are vicious, we harm not only ourselves, but we diminish, so far as it depends on us, the perfection of the great state whose monarch is God as well; and although the evil is redressed by the wisdom of the sovereign master, it is partly through our punishment. And universal justice is stamped with the supreme precept: *honeste (hoc est probe, pie) vivere*, just as *suum cuique tribuere* was in conformity to particular justice, whether in general or (taking it more narrowly) as distributive justice (which distinguishes men); and as *neminem laedere* stood for commutative justice, or for the *ius strictum* as opposed to equity, according as one takes the terms [in different ways].

It is true that Aristotle has recognized this universal justice,¹ although he did not relate it to God; and I find it beautiful of him to have had nonetheless so high an idea of it. But this is because a well-formed government or state, for him, took the place of God on earth, and this government will do what it can to oblige men to be virtuous. But as I have already said, one cannot oblige men always to be virtuous by the sole principle of [self-] interest in this life, any more than one can find the rare secret of elevating them such that virtue constitutes their greatest pleasure, as I have said before; this is what Aristotle seems to have hoped for more than shown. However, I do not find it impossible that there be times and places where one attains this, especially if piety is added.

When it is a question of the rights of sovereigns and of peoples, one can still distinguish the *ius strictum*, equity, and piety. Hobbes and Filmer seem to have considered only the *ius strictum*. The Roman jurisconsults also adhere sometimes to this [degree of] right alone. One can even say that piety and equity regularly demand the *ius strictum*, whenever they provide no exceptions. But in insisting on the *ius strictum* one must always understand [*sousentendre*], 'except for equity and piety'; otherwise this proverb would hold: *summum ius summa est injuria*.²

¹ Aristotle, *Nicomachean Ethics* v, 1, 19 (1130a and 1135a).

² 'The more law, the more injustice there is.' Cf. Cicero, *De Officiis* 1, 10, 33.

In examining the *ius strictum*, it is important to consider the origin of kingdoms or states. Hobbes seems to conceive that men were something like beasts at first; that little by little they became more tractable, but that so far as they were free, they were in a state of war of all against all and that there was thus no *ius strictum*, each having a *ius in omnia* and being able to seize without injustice the possessions of his neighbor, as he judged appropriate; because there was then no security or judge at all, and everyone had a right to forestall those from whom one had everything to fear. But as this state of rude nature was a state of misery, men agreed upon the means to obtain their security, by transferring their right of judging to the person of the state, represented by a single man or by some assembly.¹ Nonetheless, Hobbes recognizes somewhere that a man has not thereby lost the right to judge of what suits him best and that it is permitted that a criminal do what he can to save himself,² but that his fellow-citizens must restrain themselves according to the judgment of the state. The same author will also be obliged to recognize, however, that these same citizens, not having lost their judgment either, cannot allow their security to be endangered, when some of them are mistreated, such that at bottom, whatever Hobbes says, each has retained his right and his liberty regardless of the transfer made to the state, which will be limited and provisional, that is, it will last as long as we believe that our security lasts. And the reasons which this illustrious author gives to stop subjects from resisting the sovereign are only plausible considerations [*des persuasions*] based on the very true principle that ordinarily such a remedy is worse than the evil; but what is ordinarily the case is not so absolutely. The one is like the *ius strictum*, the other like equity.

It seems to me also that this author is wrong to confuse right with its effect. He who has acquired a good, who has built a house, who has forged a sword, is the proprietary master of it, although another, in time of war, has the right to drive him from his house and to deprive him of his sword. And although there are cases, where one cannot exercise his rights for lack of a judge and of enforcement, the right does not cease to exist. And it is confusing matters if one tries to destroy it because there is no present means of verifying and exercising it.

Filmer seems to me to have recognized, and with reason, that there is a right, and even a *ius strictum*, before the foundation of states.³ He who produces something new or who comes into possession of something already extant, but which no one has heretofore possessed, and who

¹ Hobbes, *De Cive* v, 8.

² *Ibid.* vi, 13; stated more fully in *Leviathan*, ch. 21.

³ Filmer, *Patriarcha* 1, 8.

improves it and makes it fit for his own use, cannot ordinarily be deprived of it without injustice. It is the same of him who acquires it directly or indirectly from such a possessor. This right of acquisition is a *ius strictum* which even equity approves. Hobbes believes that by virtue of this right, children are the property of the mother unless society orders differently,¹ and Filmer, supposing the superiority of the father, accords to him the proprietary right over his children, as well as over those of his slaves.² And as all men up to the present, according to sacred scripture, are descended from Adam and also from Noah, it follows, according to him, that if Noah were living he would have the right of an absolute monarch over all men. In his absence fathers always are and must be the sovereign masters of their posterity. And this paternal power is the origin of kings, who are finally put in the place of the progenitors, be it by force or by consent. And since the power of fathers is absolute, that of kings is as well.³

This view should not be completely condemned, though I believe one can say that it has been pushed too far. One must admit that a father or a mother acquires a great power over children by their generation and education. But I do not think that one can draw this consequence from it, that children are the property of their progenitor, as are horses or dogs which are born to us, and [as are] the works which we create. It will be objected against me, that we can acquire slaves and that the children of our slaves are slaves also: now according to the law of nations [*droit des gens*] slaves are the property of their masters, and no reason can be seen why the children whom we have produced and formed by education are not our slaves by an even juster title than those whom we have bought or captured.

I reply that, [even] if I granted that there is a right of slavery among men which conforms to natural reason, and that according to the *ius strictum* the bodies of slaves and of their children are under the power of their masters, it will always be true that another stronger right is opposed to the abuse of this right. This is the right of rational souls which are naturally and inalienably free; it is the right of God, who is the sovereign master of bodies and of souls, and under whom masters are the fellow-citizens of their slaves, since the latter have the right of citizenship in the kingdom of God as well as their masters. One can say, then, that the body of a man belongs to his soul, and cannot be taken away from him while he is living; now, the soul not being able to be acquired, the ownership of his body can only be like what is called a servitude to another, or like a species of usu-

¹ Hobbes, *De Cive* IX, 3.

² Filmer, *Observations on Mr Hob's Leviathan*, XI.

³ Filmer, *Patriarcha* I, 7-9.

fruct; but usufruct has its limits: it must be exercised *salva re*,¹ so that this right cannot go to the point of making a slave bad or unhappy.

But if I were to grant, contrary to the nature of things, that an enslaved man is the property of another man, the right of the master, however strict, would be limited by equity, which requires that a man take care of another man in the way that he would wish that others take care of him in a similar case, and by charity, which ordains that one work for the happiness of others. And these obligations are perfected by piety, that is, by what one owes to God. And if we wanted to stop merely at the *ius strictum*, the American cannibals would have a right to eat their prisoners. There are some among them who go even farther: they use their prisoners to have children, and then they fatten and eat these children, and finally the mother, when she produces no more. Such are the consequences of the pretended absolute right of masters over slaves, or of fathers over children.

If the law of decency or of good order is opposed to strict right with respect to slaves, it is still further opposed to it with respect to children. Aristotle has treated this right very well. Looking, as I do, for the principle of justice in the good, he regulates decency by [the rule of] the best, that is by that which would suit the best government (*quod optimae Reipublicae conveniret*), so that natural right, according to this author, is that which is most conducive to order.² From which it follows that according to the nature of things, no one should be the slave of another, unless he deserves to be a slave, that is, unless he is incapable of conducting himself well. But as for the children of the father of a family, a free man with noble feelings, one must presume that they will be like their parents, that they will have a natural goodness and a liberal education; and that the father will work to make them the inheritors not only of his goods, but also of his virtue, in order to administer these goods properly one day. This is why Aristotle has distinguished kinds of kingdoms, saying that there is a *regnum paternum et regnum herile*, that is, a paternal rule like that of a father over his children, and a despotic rule like that of a master over his slaves.³ The former tends to make subjects happy and virtuous, but the aim of the latter is only the preservation of a condition which makes them fit to work for their master. But it seems that when one can make men happy and virtuous, one should never leave virtue out, although virtue has its degrees, and the same virtues are not necessary to [men in] all conditions, to make a man happy.

¹ Without damage to the thing in question, i.e. the slave's body.

² This rather vague account of Aristotle seems to apply to various passages in books III and VII of the *Politics*.

³ Aristotle, *Nicomachean Ethics* V, 8 (1134b).

It must be granted, however, that there is a difference between the right of property (*strictum ius*) and that of some convenience, and that often the former is preferable. But it is because of a greater convenience. For it is not permitted to deprive the rich of their goods to accommodate the poor, nor to deprive a man of his coat which does not suit his size in order to give it to another whose size is better suited to it. This is because the disorder which would be born of it would cause more general evil and inconvenience, than this particular inconvenience. Moreover, it is necessary to maintain possessions, and since the state cannot care for all of men's domestic affairs, it must preserve the ownership of goods so that each will have his own sphere which he can enhance and put into good order, *Spartam quam ornet*, emulation being useful, in general; otherwise, if everything were commonly owned, it would be neglected by individuals, [unless]¹ it were arranged [as it is] among the members of religious orders, which would be difficult in these times. Thus the state must maintain the possessions of individuals; it can, nonetheless, make tolerable breaches in this policy for the common security, and even for a great common good: from which comes what is called *dominium Eminens*, and imposts, and what is called [taxation for] war-expenses.

I...²

2. *Opinion on the Principles of Pufendorf* (1706)

This work, originally written in the form of a letter (see n. 1) became fairly well known in the early eighteenth century because Barbeyrac translated most of it and appended it to his translation of Pufendorf's *De Officio Hominis*; he also provided an able defense of Pufendorf, and castigated Leibniz for not writing

¹ At this point Leibniz' manuscript becomes illegible, owing to the fact that the present passage is a marginal addition whose paper has crumbled away. I have added the single word 'unless', which makes the passage intelligible; there may have been a longer phrase here.

² The last leaf of the manuscript says only 'I' ['Je'], then leaves the rest of the sheet blank. What Leibniz would have gone on to say is not clear; the *Meditation*, in any case, ends rather lamely.

PART II. ON SOCIAL LIFE, ENLIGHTENMENT AND THE RULE OF PRINCES

3. *On Natural Law*

This short piece shows, perhaps more clearly than any other, how much some of Leibniz' political views remained medieval, how much force the ideas of hierarchy and natural subordination still had for him. It relates Leibniz to some of his German predecessors – particularly Althusius – and makes clear the gap which separates him from, e.g. the great English theorists of the seventeenth century. (The present translation follows the German text to be found in Guhrauer's *Deutsche Schriften*.)

I

Justice is a social duty [*Tugend*], or a duty which preserves society.

A society [*Gemeinschaft*] is a union of different men for a common purpose.

A natural society is one which is demanded by nature [*so die Natur haben will*].

The signs by which one can conclude that nature demands something, are that nature has given us a desire and the powers or force to fulfill it: for nature does nothing in vain.

Above all, when the matter involves a necessity or a permanent [*beständigen*] utility: for nature everywhere achieves the best.

The most perfect society is that whose purpose is the general and supreme happiness [*Glückseligkeit*].

Natural law is that which preserves or promotes natural societies.

The first natural society is between man and wife, for it is necessary to preserve the human race.

The second [*is*] between parents and children; it arises at once out of the former; for when children are once created, or freely adopted, they must be reared, that is, governed and nourished. In return they owe their parents obedience and help after they are raised. For [*it*] is in hope of such gratitude [*that*] such societies are preserved and promoted, though nature demands them primarily for the sake of children. For they may one day

reach perfection. Parents, then, exist primarily for the sake of children, [and] the present, which does not last long, for the future.

The third natural society is between master and servant [*Herr und Knecht*], which is conformable to nature when a person lacks understanding but does not lack the strength to nourish himself. For such a person is a servant by nature who must work as another directs him, and [who] derives therefrom his livelihood; the rest is for the master. For everything that the servant is, he is on account of his master, since all other powers exist only for the sake of the understanding [*Verstand*]. In this case the understanding is in the master, but all other powers are in the servant.¹ Since such a servant exists for the sake of the master, his master owes him only his maintenance, for his [the master's] sake, in order that he not ruin him.

It is to be understood [that this would be true] if there were no hope that the servant might attain understanding, for otherwise the master would be responsible for promoting his servant's freedom through education, [at least] in so far as this is necessary to the happiness of the servant. To admit the truth alone, I doubt whether an example of such a servitude can be found, in which the servant exists entirely for the sake of the master; especially because souls are immortal and hence can sometimes attain understanding and the happiness of that life [which is] based on it. In my opinion, therefore, this society exists only between men and cattle. For [even] if a man were born quite stupid and incapable of any education, we would still not have the right to martyr, to kill or to sell him to the barbarians. But if souls were mortal, then this servitude could exist among whole peoples, which are almost as dumb as cattle, and so could be kept in this stupidity for the benefit of their masters – at least, certainly, to the extent that children can be reared not to advance beyond cattle. Now, since the general rules of justice [*Gerechtigkeit*] are taught, which even atheists [*Gottlose*] must accept, it seems that one can deal with the natural servants of men, in the case that such men exist. Even if such servitude is not to be suffered in all its sharpness among men, there is still something which is similar and comes close to it, which is sometimes conformable to nature. To summarize, natural servitude takes place among unintelligent men, in so far as it is not restricted by the rules concerning the fear of God.

The fourth natural society is the household, which is composed of all the above-mentioned societies – some or all. Its purpose is [the satisfaction of] daily needs.

¹ Cf. Aristotle, *Politics* I, v, 1254a; here Leibniz follows Aristotle rather closely. Cf. also Hegel, *Phenomenology*, 'Master and Servant'.

The fifth natural society is the civil [*bürgerliche*] society. If it is small, it is called a city; a province is a society of different cities, and a kingdom or a large dominion is a society of different provinces – all to attain happiness for to be secure in it – whose members sometimes live together in a city sometimes spread out over the land. Its purpose is temporal welfare.

The sixth natural society is the Church of God, which would probably have existed among men even without revelation [*Offenbarung*], and been preserved and spread by pious and holy men. Its purpose is eternal happiness. And it is no wonder that I call it a natural society, since there is a natural religion and a desire for immortality planted in us. This society of the saints [*Heiligen*] is catholic or universal, and binds the whole human race together. If revelation is added, this bond is not torn, but strengthened.¹

II

CLASSIFICATION OF SOCIETIES OR COMMUNITIES (*DIVISIO SOCIETATUM*)

Every society is equal [*gleich*] or unequal. [It is] equal when one has as much power in it as another, unequal when one rules another.

Every society is either unlimited [*unbeschränkt*] or limited. An unlimited society concerns the whole life and the common good [*gemeine Beste*]. A limited society concerns certain subjects, for example trade and commerce, navigation, warfare and travel.²

An unlimited equal society exists between true friends. And such [a society] exists particularly between man and wife, between parents and grown children, between masters and freedmen, and in general between all intelligent men who are adequately acquainted with each other.

An unlimited unequal society exists between rulers and subjects. Such rule happens for the sake either of improvement or of conservation. If it is for the sake of improvement, it really takes place between parents and children, and also between us and those whom we accept in place of children, or whom we raise so that they receive their welfare from us, and are under our sole rule. This has no place between teacher and student, since the latter is subject [to the former] only in a certain degree or way; here,

¹ Leibniz' fifth and sixth degrees of natural society are grafted onto Aristotelian distinctions, and appear to be derived from Johannes Althusius' *Politicae Methodice Digesta* (1603), ch. 5 ff.

² Cf. Burke, *Reflections on the Revolution in France* VII, 2a (passage cited in introduction, p. 22n).

however, we are speaking of unlimited society which involves the whole of life and welfare. Stupid men are grown children. But if such rule [*Regierung*] is for the sake of conservation, it exists between master and servant and consists in this, that the master makes the servant's welfare secure, while the latter submits to the rule of the former.

All of these societies are simple or composite [*zusammengesetzt*], and also [exist] between a few or many men. Accordingly all unlimited or comprehensive societies [*Lebensgesellschaften*] can be reduced to certain points, namely to education and instruction, rule and obedience, friendship or co-operation, *adjutorium*, etc.

Children, in so far as they have been reared, already owe obedience as far as their powers permit, [and] as they attain understanding, friendship and assistance to the master as well, although their education is not completed.

Man and wife are bound by nature to friendship and mutual assistance in a brotherly way. In the same way parents and children, and also relatives and members of a community [*Gemeine*] must have an understanding of each other; for understanding belongs to friendship.

One can educate, who is himself being educated, and also rule, while he is being ruled. But there must be subordination in this case.

All unlimited societies do indeed aim at welfare, but they do not all attain it; hence more men have had to unite to create greater and stronger communities. Thus households, clans, villages, monasteries, orders, cities, provinces, and finally the whole human race, which also constitutes a community under the rule of God, [have united].

If everything in the world were arranged in the most perfect way, then, first of all, parents, children and relatives would be the best of friends, and whole families would have chosen an art of living, would have arranged everything that they have to this end, would abide in it and continue to perfect themselves in their art and direct their children to the same end, and would marry people of the same calling [*Beruf*] in order to be united through education from their parents. These clans would make up guilds or castes out of which cities would arise; these would enter into provinces and all countries, finally, would stand under the church of God.¹

¹ Leibniz' views on this point did not change very much in later life, as, e.g. his letter to Peter the Great (1716) shows. See *Projet d'un Mémoire de Leibniz au Czar en vue des Progrès des Arts et des Sciences et des Écoles dans l'Empire Russe*, in *Leibniz et Pierre le Grand*, by A. Foucher de Careil, Paris, 1874.